

## REMARKS

### I. Pending Claims

Claims 3-5, 17-21, 27-29, and 34-74 are now pending in the present application. More specifically, claims 3, 17, 18, 19, and 27-29 are amended; claims 1-2, 6-16, 22-26, and 30-33 are canceled; and claims 34-74 are added.

### II. Rejected Claims

Claims 1-2, 6-16, 22-26, and 30-33 were rejected. The rejected claims 1-2, 6-16, 22-26, and 30-33 are cancelled without prejudice, waiver, or disclaimer. Therefore, the rejection of claims 1-2, 6-16, 22-26, and 30-33 has been rendered moot.

### III. Allowable Claims

The Office Action indicated that claims 3-5, 17-21, and 27-29 would be allowable if rewritten to include all of the limitations of their respective base claims. Therefore, claims 3, 17, 18, 19, and 27-29 are now allowable since they have been amended, as shown above, to include the limitations of their respective base claims. Furthermore, claims 4-5 and 20-21 are allowable since they depend from respective allowable claims 3 and 19.

### IV. New Claims

Claims 34-74 have been newly added. It is believed that claims 34-74 are adequately supported by the specification and are allowable over the cited references.

#### Claims 34-48

Claims 34-48 are allowable for at least the reason that they depend from respective allowable claims.

Claim 49

Claim 49 is allowable for at least the reason that none of the cited references teach, suggest or disclose “wherein the processor is further programmed to measure a length of time between consecutive transients.”

Claims 50-51

Claims 50-51 are allowable for at least the reason that they depend from claim 49 which has been shown to be allowable.

Claim 52 - 17

Claim 52 is allowable for at least the reason that none of the cited references teach, suggest or disclose “causing the data communications equipment to restore its data transmission rate to the original rate after a predetermined period of time.”

Claims 53-55

Claims 53-55 are allowable for at least the reason that they depend from claim 52 which has been shown to be allowable.

Claim 56 - 18

Claim 56 is allowable for at least the reason that none of the cited references teach, suggest or disclose “causing the data communications equipment to restore its data transmission rate to the original rate after failing to detect a transient for a predetermined period of time.”

Claims 57-59

Claims 57-59 are allowable for at least the reason that they depend from claim 56 which has been shown to be allowable.

Claim 60

Claim 60 is allowable for at least the reason that none of the cited references teach, suggest or disclose “measuring the length of time between consecutive transients.”

Claims 61-62

Claims 61-62 are allowable for at least the reason that they depend from claim 60 which has been shown to be allowable.

Claim 63 -27

Claim 63 is allowable for at least the reason that none of the cited references teach, suggest or disclose “after the occurrence of a subsequent transient, causing the data communications equipment to resume data transmission.”

Claims 64-66

Claims 64-66 are allowable for at least the reason that they depend from claim 63 which has been shown to be allowable.

Claim 67 -28

Claim 67 is allowable for at least the reason that none of the cited references teach, suggest or disclose “after the lapse of a predetermined length of time, causing the data communications equipment to resume data transmission.”

Claims 68-70

Claims 68-70 are allowable for at least the reason that they depend from claim 67 which has been shown to be allowable.

Claim 71 -29

Claim 71 is allowable for at least the reason that none of the cited references teach, suggest or disclose “after failing to detect a transient for a predetermined length of time, causing the data communications equipment to resume data transmission.”

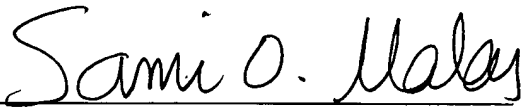
Claims 72-74

Claims 72-74 are allowable for at least the reason that they depend from claim 71 which has been shown to be allowable.

### CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 3-5, 17-21, 27-29, and 34-74 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

  
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